

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No.
	)	
One Silver 2006 Cadillac STS-V,	)	JURY TRIAL REQUESTED
VIN #1G6DX67D760192568, bearing NH temporary	)	
Registration #2113176, in the name of Nicole Roskos,	)	
	)	
Defendant <i>in rem</i> .	)	
	)	

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM*,  
FOR PROPERTY WITHIN THE GOVERNMENT'S POSSESSION, CUSTODY  
OR CONTROL PURSUANT TO SUPPLEMENTAL RULE G**

Plaintiff, United States of America, brings this Complaint in accord with Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

**NATURE OF THE ACTION**

This is an action to forfeit and condemn to the use and benefit of the United States of America the captioned defendant *in rem*, for violations of 21 U.S.C. § 881(a)(6).

**JURISDICTION AND VENUE**

The Court has jurisdiction over this action pursuant to 21 U.S.C. §§ 1345 and 1355. Venue is proper in this district pursuant to 28 U.S.C. §§ 1395 and 1355(b)(1).

**THE DEFENDANT *IN REM***

The defendant *in rem* consists of the following property: One Silver 2006 Cadillac STS-V, VIN #1G6DX67D760192568, bearing NH temporary registration #2113176, in the name of Nicole Roskos. The defendant *in rem* is currently in the custody of the NH State Police.

**FACTS**

1. On March 3, 2018, Nicole Roskos pleaded guilty to an indictment, which included a count charging her with Conspiracy to Possess with Intent to Distribute and to Distribute Controlled Substances, in violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 846. The Court sentenced Roskos on June 11, 2018. *United States v. Nicole Roskos*, No. 1:17-cr-00156-JL, U.S.D.C., D.N.H.

2. The conspiracy began no later than June 2017 and continued until her arrest on September 12, 2017.

3. When police arrested Roskos, they found her and her companion in possession of 511.8 grams of fentanyl.

4. Roskos bought the defendant *in rem* on August 14, 2017 with a \$10,000 cash down payment, and a second payment of \$3,800 that was due on September 11, 2017.

5. During the dates of the drug conspiracy, Roskos worked at Vitex Extrusion, LLC (“Vitex”), and earned \$3,079.31. Prior to Roskos’ employment at Vitex, she was unemployed for about four months, and supported herself by selling controlled drugs. Roskos’ intermittent employment at low wages cannot explain her purchase of the defendant *in rem* with legitimate means.

6. On February 27, 2018, in the presence of her attorney, Roskos signed a Voluntary Forfeiture Form, agreeing to forfeit the defendant *in rem*.

**CLAIM FOR FORFEITURE**

7. The allegations contained in paragraphs 1 through 6 of this Verified Complaint for Forfeiture *in Rem* are incorporated by reference.

8. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture “all moneys ... or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or ... all proceeds traceable to such an exchange and all moneys ... used or intended to be used to facilitate any violation of” the Controlled Substances Act.

9. The defendant *in rem* Silver 2006 Cadillac STS-V, VIN #1G6DX67D760192568, bearing NH temporary registration #2113176, in the name of Nicole Roskos, was furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq., or represents proceeds traceable to such exchanges, or money used or intended to be used to facilitate violations of the Act. As a result, the defendant *in rem* Silver 2006 Cadillac STS-V, VIN #1G6DX67D760192568, bearing NH temporary registration #2113176, in the name of Nicole Roskos, is liable to condemnation and forfeiture to the United States for its use, in accordance with 21 U.S.C. § 881(a)(6).

Therefore, the United States requests that:

- (a) the Clerk of Court issue a Warrant of Arrest *in Rem*, in the form submitted with this Verified Complaint, to the United States Marshal for the District of New Hampshire, commanding him to arrest the defendant *in rem*;
- (b) this matter be scheduled for a jury trial;
- (c) judgment be entered against the defendant *in rem*;
- (d) the defendant *in rem* be disposed of according to law; and
- (e) this Court grant the United States its costs and whatever other relief to which it may be entitled.

Respectfully submitted,

SCOTT W. MURRAY  
United States Attorney

Dated: March 1, 2019

By: /s/ Robert J. Rabuck  
Robert J. Rabuck  
NH Bar # 2087  
Assistant U.S. Attorney  
District of New Hampshire  
53 Pleasant Street  
Concord, New Hampshire  
603-225-1552  
[rob.rabuck@usdoj.gov](mailto:rob.rabuck@usdoj.gov)

**VERIFICATION**

I, Steven D. Tarr, being duly sworn, depose and say that I am a Task Force Officer with the United States Drug Enforcement Agency, and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *in rem* and know the contents therein, and that the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are official records and files of the United States and the State of New Hampshire, and information obtained by me and other law enforcement officers during an investigation of alleged violations of the controlled substances laws of the State of New Hampshire and of the United States.

/s/ Steven D. Tarr  
Steven D. Tarr

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

Subscribed and sworn to before me this 22nd day of February 2019.

/s/ Francine Doucette Conrad  
Notary Public

My commission expires: April 23, 2019



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**SUMMONS AND WARRANT OF ARREST *IN REM*  
FOR ISSUANCE BY THE CLERK OF COURT FOR PROPERTY  
WITHIN THE GOVERNMENT'S POSSESSION, CUSTODY OR CONTROL  
PURSUANT TO SUPPLEMENTAL RULE G(3)(b)(i)**

To the United States Marshal or any duly authorized Federal Law Enforcement Officer for the District of New Hampshire:

Pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Certain Admiralty and Maritime Claims, a Verified Complaint for Forfeiture *in rem* has been filed on March 1, 2019, in the U.S. District Court for the District of New Hampshire, alleging that the following property is subject to forfeiture to the United States on the following grounds: One Silver 2006 Cadillac STS-V, VIN #1G6DX67D760192568, bearing NH temporary registration #2113176, in the name of Nicole Roskos, was furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq., or represents proceeds traceable to such exchanges, or money used or intended to be used to facilitate violations of the Act, and therefore liable to condemnation and forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6).

YOU ARE, THEREFORE, COMMANDED to seize the captioned defendant *in rem* item of personal property, and use discretion and whatever means appropriate to protect and maintain the property pending the outcome of this action;

IT IS FURTHER ORDERED that the United States Marshal shall maintain custody of the defendant *in rem* item of personal property until further order of this Court, and shall use his discretion and whatever means appropriate to protect and maintain said defendant *in rem*;

IT IS FURTHER ORDERED that the United States shall serve upon all potential claimants to the defendant *in rem*, a copy of this Summons and Warrant of Arrest in Rem, and the Verified Complaint for Forfeiture in Rem, in a manner consistent with the principles of service of process in an action in rem under Supplemental Rule G and other Supplemental Rules for Certain Admiralty and Maritime Claims and Title 18, United States Code, Section 983(a);

IT IS FURTHER ORDERED that a return of this Summons and Warrant of Arrest in Rem shall be promptly made to the Court, identifying the individuals upon whom copies were served and the manner employed; and

IT IS FURTHER ORDERED that all persons claiming an interest in or right against the defendants *in rem* shall file their Verified Claim within thirty-five (35) days after the date on which they were sent the Notice of Complaint or no later than sixty (60) days after the first day of publication on an official internet government forfeiture site, whichever is earlier, or within such additional time as the Court may allow, pursuant to Title 18, United States Code, Section 983(a)(4) and Rule G(4)(b)(ii)(B) of the Supplemental Rules for Certain Admiralty and Maritime Claims, and shall serve and file their Answer to the Complaint within twenty-one (21) days after the filing of their Verified Claims, pursuant to Rule G(4)(b)(ii)(C) of the Supplemental Rules for Certain Admiralty and Maritime Claims, with the Office of the Clerk, United States District

Court for the District of New Hampshire, with a copy sent to Assistant United States Attorney Robert J. Rabuck, United States Attorney's Office, District of New Hampshire, James Cleveland Federal Building, 53 Pleasant Street, Concord, NH 03301.

Dated:

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Daniel J. Lynch, Clerk of Court